

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Business and Economic Development*

*August 2001*

**Members:**

*Sen. Kevin Shorey, Chair*

*Sen. Lynn Bromley*

*Sen. Ed Youngblood*

*Rep. John Richardson, Chair*

*Rep. Bruce S. Bryant*

*Rep. Susan Dorr*

*Rep. Paul R. Hatch*

*Rep. Marc Michaud*

*Rep. Jonathan Thomas*

*Rep. Harold A. Clough*

*Rep. Thomas W. Murphy, Jr.*

*Rep. Brian M. Duprey*

*Rep. John R. Morrison*

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**120th Legislature**  
**First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

*CARRIED OVER*..... *Bill Carried Over to Second Regular Session*  
*CON RES XXX*..... *Chapter # of Constitutional Resolution passed by both Houses*  
*CONF CMTE UNABLE TO AGREE*..... *Committee of Conference unable to agree; bill died*  
*DIED BETWEEN BODIES*..... *House & Senate disagree; bill died*  
*DIED IN CONCURRENCE*..... *One body accepts ONTP report; the other indefinitely postpones the bill*  
*DIED ON ADJOURNMENT*..... *Action incomplete when session ended; bill died*  
*EMERGENCY*..... *Enacted law takes effect sooner than 90 days*  
*FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*..... *Emergency bill failed to get 2/3 vote*  
*FAILED ENACTMENT/FINAL PASSAGE*..... *Bill failed to get majority vote*  
*FAILED MANDATE ENACTMENT*..... *Bill imposing local mandate failed to get 2/3 vote*  
*NOT PROPERLY BEFORE THE BODY*..... *Ruled out of order by the presiding officers; bill died*  
*INDEF PP*..... *Bill Indefinitely Postponed*  
*ONTP*..... *Ought Not To Pass report accepted*  
*OTP ND*..... *Committee report Ought To Pass In New Draft*  
*OTP ND/NT*..... *Committee report Ought To Pass In New Draft/New Title*  
*P&S XXX*..... *Chapter # of enacted Private & Special Law*  
*PUBLIC XXX*..... *Chapter # of enacted Public Law*  
*RESOLVE XXX*..... *Chapter # of finally passed Resolve*  
*UNSIGNED*..... *Bill held by Governor*  
*VETO SUSTAINED*..... *Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

*David E. Boulter, Director*  
 Offices Located in the State House, Rooms 101/107/135

## Joint Standing Committee on Business and Economic Development

State. Part D also provides the State Board of Nursing with the authority to appoint a subcommittee to hold informal conferences and enter into consent agreements in disciplinary matters. Part E of the law amends the Oil and Solid Fuel Board laws to rename the journeyman solid fuel license for the progression to master solid fuel license because there is not such a journeyman license. It also eliminates the board member position reserved for a manufacturer, importer or wholesaler of oil-burning equipment.

Part F of the law clarifies the intended effect of a change in the Board of Accountancy law. The amended language clarifies that all partners, officers, shareholders, members or managers whose principal place of business is in the State, or who perform professional services in Maine must be licensed by the Board of Accountancy. A corresponding change in the Maine Professional Service Corporation Act allows for a licensed certified public accountant to form corporations with nonlicensed individuals, provided a simple majority of shareholders in a public accounting firm are licensed by the Board of Accountancy. Part G of the law makes a necessary correction that resulted when Public Law 1999, chapter 386, Part U, section 3 reduced the required hours for licensure as an aesthetician. At that time, the minimum number of base hours for students to attend an aesthetics program either in a school setting or as a trainee was not adjusted accordingly. PL 2001, chapter 260 makes the corresponding adjustment. Finally, Part H of the law authorizes the Board of Licensure in Medicine to delegate approval of applications for licensure and renewal to the board's staff. Licensing decisions by staff may be appealed to the full board.

**LD 1749**                      **Resolve, to Establish a Commission to Review Internet Policy**                      **CARRIED OVER**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1749, which was a committee bill pursuant to Joint Order H.P. 1155, proposed to establish an 11-member commission to study issues related to the commercial uses of information on the Internet. The proposed Commission to Review Internet Policy would have been required to report its findings and recommendations to the Legislature by November 1, 2001. The Joint Standing Committee on Business and Economic Development voted to carry over the resolve to the Second Regular Session.

**LD 1778**                      **Resolve, to Establish the Commission to Study Ways to Eliminate Cigarette Litter in Maine**                      **DIED IN CONCURRENCE**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
		OTP-AM      MAJ		
		ONTP        MIN		

LD 1778, which was a committee bill pursuant to Joint Order H.P. 682, proposed to establish the Commission to Study Ways to Eliminate Cigarette Litter in Maine. The 15-member commission would be required to submit a report with its findings and recommendations to the Joint Standing Committee on Business and Economic Development by December 1, 2001. Under the proposed resolve, the Joint Standing Committee on Business and Economic Development would be authorized to report out a bill to implement the recommendations of the commission.

## Joint Standing Committee on Business and Economic Development

**Committee Amendment "A" (H-549)**, which was not adopted, proposed to replace the appropriation section and to add a fiscal note to the resolve.

**House Amendment "A" (H-636)**, which was not adopted, proposed to remove the emergency preamble and emergency clause from the resolve and to change the date for when the first meeting would be convened.

**LD 1827**                      **Resolve, Directing the Department of Economic and Community Development to Study the Designation of Tourism Regions**                      **RESOLVE 59 EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

LD 1827, which was a committee bill pursuant to Joint Order H.P. 1301, proposed to direct the Department of Economic and Community Development to study the industry-designated tourism regions in the State to reflect the unique cultural attributes and economic needs of certain areas. The resolve proposed to require the department to consult with the tourism industry in conducting its study and to report its findings and recommendations to the Joint Standing Committee on Business and Economic Development before December 31, 2001.

### *Enacted law summary*

Resolve 2001, chapter 59 directs the Department of Economic and Community Development to study the industry-designated tourism regions in the State to determine whether the regions reflect the unique cultural attributes and economic needs of certain areas. The department is required to consult with the tourism industry in conducting its study and to report its findings and recommendations to the Joint Standing Committee on Business and Economic Development before December 31, 2001.

Resolve 2001, chapter 59 was enacted as an emergency measure effective June 19, 2001.

**SP 91**                      **JOINT ORDER - Relative to the Joint Standing Committee on Business and Economic Development Studying the Potential Alternatives for State Financing of the Construction of Meeting and Convention Facilities**                      **ONTP**

Sponsor(s)  
YOUNGBLOOD

Committee Report

Amendments Adopted

Joint Order S.P. 91 proposed to require the Joint Standing Committee on Business and Economic Development to study the potential alternatives for state financing of the construction of meeting and convention facilities. In studying this issue, the committee would have been required to consider the findings of the Maine Meetings and Convention Committee established by the Department of Community and Economic Development in 1999. Under